

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

SUNNOVA ENERGY INTERNATIONAL INC.,  
*et al.*,<sup>1</sup>

Debtors.

Chapter 11

Case No. 25-90160 (ARP)

(Jointly Administered)

**POWER SOLAR LLC'S PRELIMINARY LIMITED  
OMNIBUS OBJECTION TO DEBTORS' FIRST DAY MOTIONS**

Power Solar, LLC ("Power Solar"), by and through its undersigned counsel, files this *Preliminary Limited Omnibus Objection to Debtors' First Day Motions* (the "First Day Motions"), and respectfully states as follows:

**LIMITED OBJECTION**

1. Upon information and belief, the Debtors, through Debtor Sunnova Energy Corporation ("SEC"), partner with approximately 175 Dealers through Channel Partner Agreements.<sup>2</sup> The Debtors contend that the "Dealers are the Debtors' public-facing presence in every market Sunnova serves" and that the "Dealers have been an essential part of Sunnova's business model since its inception." *Id.* at ¶¶ 30-31.

2. Power Solar is a creditor of the Debtors and one of the Dealers.

3. As part of its efforts to revitalize Puerto Rico's energy grid after the damages caused to it by a series of Hurricanes, the United States Department of Energy ("DOE") funded a

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<sup>1</sup> A complete list of each of the Debtors in these chapter 11 cases may be obtained on the website of the Debtors' proposed claims and noticing agent at <https://restructuring.ra.kroll.com/Sunnova>. The location of Debtor Sunnova Energy International Inc.'s corporate headquarters and the Debtors' service address in these chapter 11 cases is 20 East Greenway Plaza, Suite 540, Houston, Texas 77046.

<sup>2</sup> See *Declaration of Paul Matthews, President and Chief Executive Officer of Sunnova Energy International Inc., In Support of Debtors' Chapter 11 Petitions* [Dkt. 17] (the "Matthews First Day Declaration"), at ¶ 28. Capitalized terms used herein and not otherwise defined shall have the meanings ascribed to such terms in the Matthews First Day Declaration or in the applicable First Day Motion.

program in Puerto Rico aimed at providing solar panels and batteries to low-income residents and other qualifying households in Puerto Rico (the “Program”). Upon information and belief, the DOE “awarded Sunnova a \$281 Million grant from the Puerto Rico Energy Resilience Fund (the “DOE Fund”) to procure, design, and install Solar Systems for low- and moderate-income households in Puerto Rico.” Matthews First Day Declaration at ¶ 50.

4. Upon information and belief, Debtor SEC collects funding of the DOE Fund to Sunnova in the “Government Incentives Collection Account” maintained at JPM.<sup>3</sup> Furthermore, upon information and belief, “[f]unds in the Government Incentives Collection Account are manually transferred to the Main Dealer Payment Account to pay Dealers in connection with certain projects in Puerto Rico.” Bank Account Motion at p.8.

5. Prior to the commencement of these Chapter 11 cases, Power Solar and Debtor SEC entered into an amendment to their Channel Partner Agreement to address work to be performed by Power Solar in connection with, and comply with the terms and conditions of, the Program. Among other things, the amendment modified the payment terms between Power Solar and SEC for work performed in connection with the Program such that DOE Funds are intended to pass from the DOE Fund through SEC to Power Solar and Power Solar is expressly “paid from” the DOE Funds received by SEC. Consequently, the DOE Funds received by SEC on account of work performed by Power Solar under the Program are earmarked for payment to Power Solar.

6. It is not clear from the First Day Motions whether (or how much) DOE Funds the Debtors are currently holding, and whether (or how much) of any such funds are attributable to the work performed by Power Solar and earmarked for payment to Power Solar.

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<sup>3</sup> See Debtors’ Emergency Motion for Entry of Interim and Final Orders (I) Authorizing the Debtors to (A) Continue Using the Cash Management System, (B) Maintain Existing Bank Accounts, Business Forms, and Books and Records, and (C) Continue Intercompany Transactions, (II) Granting Administrative Expense Status to Postpetition Intercompany Transactions, and (III) Granting Related Relief (the “Bank Account Motion”), at p.8.

7. Power Solar files this preliminary limited objection to preserve Power Solar's rights to and interest in any DOE Funds held by the Debtors and/or earmarked for payment to Power Solar. Among other things, Power Solar objects to any request to transfer, sell, assign, encumber or use any DOE Funds (other than to pay Power Solar) free and clear of Power Solar's interests in the DOE Funds.

### **RESERVATION OF RIGHTS**

Power Solar reserves the right to supplement this objection and expressly reserves all rights, claims, actions, defenses, whether legal or equitable, relative to the amounts due to Power Solar and/or Power Solar's rights under its agreements with the Debtors, including the right to assert and request further relief from the Court including, but not limited, (i) to assert any entitlements, retention or reclamation rights, or any other rights over the completed Solar Systems as may be available at law or equity; and (ii) to pursue any and all other remedies available to it, including a constructive trust, as may be applicable.

*[Remainder of page intentionally left blank]*

Dated: June 9, 2025

Respectfully Submitted,

By: /s/ James P. Muenker

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*Counsel to Power Solar LLC*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 9th day of June, 2025, a copy of the foregoing *Preliminary Limited Omnibus Objection to Debtors' First Day Motions* was served on all parties receiving CM/ECF notices in this case.

/s/ James P. Muenker  
James P. Muenker